

Report Date: October 10, 2007

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT 11 2007

JAMES R. LARSEN, CLERK  
DEPUTY  
TERRY J. KANE, WASHINGTON**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Thomas Nicholas Limpert

Case Number: 2:03CR00185-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, U.S. District Judge

Date of Original Sentence: 2/26/2004

Type of Supervision: Supervised Release

Original Offense: Transportation of Stolen Firearms,  
18 U.S.C. § 922(I), Receipt, Possession, and  
Disposition of Stolen Firearms, 18 U.S.C. § 922 (j)

Date Supervision Commenced: 2/2/2007

Original Sentence: Prison - 63 Months; TSR - 36  
Months

Date Supervision Expires: 2/1/2010

---

**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 21 You shall reside in a residential reentry center for a period of up to 120 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

**CAUSE**

Thomas Limpert violated the conditions of supervised release by consuming marijuana on September 19, 2007, contrary to condition #7 of his conditions of supervised release, and by continuing to maintain contact with an individual (Sheryl Smith) who is wanted by law enforcement for absconding county supervision since his supervision commenced in February 2007, contrary to condition #3 of his conditions of supervised release.

On September 19, 2007, Thomas Limpert was summoned to the New Horizon Care Center for phase urinalysis testing. The sample was tested on site and returned a presumptive positive reading for cocaine and amphetamine. Subsequently, the specimen was forward to Quest Laboratory for further analysis. On October 3, 2007, the above-mentioned specimen was confirmed positive for cocaine metabolites.

On October 2, 2007, the offender was summoned to the U.S. Probation Office to discuss the above-mentioned presumptive positive urinalysis test for cocaine and amphetamines. Thomas Limpert vehemently denied he consumed illicit drugs on or about the date in question. Consequently, the undersigned terminated the discussion and suggested talks resume once the official laboratory report had been received. Later that day, the U.S. Probation Office received confirmation from Quest Laboratory that the specimen in question was confirmed positive for cocaine metabolites.

Prob 12B

**Re: Limpert, Thomas Nicholas****October 10, 2007****Page 2**

On October 3, 2007, the offender was again summoned to the U.S. Probation Office to discuss the matter. Thomas Limpert admitted he consumed cocaine while playing poker with friends in Deer Park, Washington. He also admitted associating with Sheryl Smith, a fugitive from justice as a result of her misdemeanor warrant in Redmond, Washington, for hit and run and felony possession of a controlled substance. The offender signed an admission of drug use form acknowledging he consumed cocaine on September 19, 2007.

Thomas Limpert has experienced some significant problems adjusting to supervision. He once was described as a belligerent and uncooperative individual at the apartment building where he resides. His adult sons are heavily involved in illicit activities in the community. For example, the offender was a passenger in his son's vehicle when contacted by law enforcement in February 2007. Thomas Limpert's son was arrested for possessing a controlled substance at that time. Thomas Limpert was not arrested or charged.

On October 3, 2007, Thomas Limpert signed a waiver of hearing agreeing to participate in a residential reentry center (RRC) for a period up to 120 days. The undersigned officer will facilitate placement at Bannum Place of Spokane, if Your Honor concurs. Upon entering the RRC, Mr. Limpert will be expected to participate in all relevant programs.

It is respectfully recommended that the attached waiver of hearing to modify conditions of supervised release be adopted requiring Thomas Limpert to reside in, and satisfactorily participate in, a RRC as a condition of supervised release up to 120 days.

I declare under penalty of perjury  
that the foregoing is true and correct

Executed on: October 10, 2007

by

  
Tommy Rosser  
U.S. Probation Officer

---

## THE COURT ORDERS

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
 JFVS ☒ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer

October 10, 2007

Date

**United States District Court****Eastern District of Washington****Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT 11 2007

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

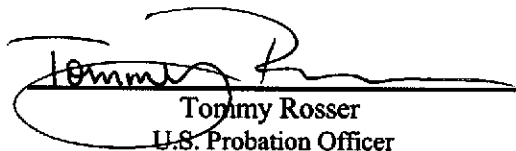
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

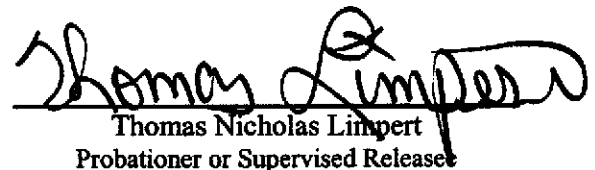
To modify the conditions of supervision as follows:

- 21 You shall reside in a residential reentry center for a period of up to 120 days. This placement may include a prerelease component, day reporting, and home confinement (with or without electronic monitoring, but not to include GPS) at the directions of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:

  
Tommy Rosser  
U.S. Probation Officer

Signed:

  
Thomas Nicholas Limpert  
Probationer or Supervised Releasee10 / 3 / 07  
Date

EDWA13 (12/02)

**EASTERN DISTRICT OF WASHINGTON  
U.S. PROBATION AND PRETRIAL SERVICES  
ADMISSION OF DRUG USE**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

OCT 11 2007

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

I, Limpert, Thomas, hereby admit that I have used the following drug(s) on the date(s) indicated below without proper medical authorization in the form of a valid prescription or physician's instructions:

<u>Cocaine</u>	<u>9/17/07</u>
DRUG	DATE
<u> </u>	<u> </u>
DRUG	DATE
<u> </u>	<u> </u>
DRUG	DATE

This admission of drug use is made voluntarily and without threat or promise, and I understand that it can be used against me in U.S. District Court or U.S. Parole Commission proceedings. An admission may also result in my being requested to participate in an assessment and/or recommended treatment.

SIGNED

Thomas Limpert 10/3/07  
Defendant/Offender Date

Tommy J. [Signature] 10/3/07  
USPTSO/USPO Date